



TS01-617

Application no. 10/074,881

2815

June 30, 2003

#1
Election
J. McMillan
7/10/03

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Attn: Art Unit 6517 - Examiner Paul E. Brock II

FROM: George O. Saile, Reg. No. 19,572
28 Davis Avenue
Poughkeepsie, N.Y. 12603

SUBJECT: Serial #: 10/074,881
File Date: Feb. 12, 2002
Inventor: Jiann-Tyng Tzeng
Examiner: Paul E. Brock II
Art Unit: 6517
Title: A Novel Method to Monitor Process Charging Effect

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Election of Species Requirement in the Office Action dated May 29, 2003. In that office action, applicant was required under 35 U.S.C. 121

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 30, 2003.

Signature

Stephen B. Ackerman, Reg. No. 37,761

Date: June 30, 2003

to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable, and that currently claim 1 claim is generic.

The species stated are:

- a. Species I depicted in Fig. 11, which reads on Claims 1-5, 6, 11, 12, 13-17, 18, 23 and 24-28, and
- b. Species II depicted in Fig. 12a, which reads on Claims 1-5, 7, 11, 12, 13-17, 19, 23 24-27 and 29, and
- c. Species III depicted in Fig. 12b, which reads on Claims 1-5, 8, 11, 12, 13-17, 20, 23, 24-27 and 30, and
- d. Species IV depicted in Fig. 12c, which reads on Claims 1-5, 9, 11, 12, 13-17, 21, 23, 24-27 and 31, and
- e. Species V depicted in Fig. 12d, which reads on Claims 1-5, 6, 10, 11, 12, 13-17, 22, 23, 24-27 and 32.

Claims 1-5, 11, 12, 13-17 and 24-27 are believed by applicants to be generic.

Applicant provisionally elects to be examined the species described by the Examiner as Group a. Species I depicted in Fig. 11, which reads on Claims 1-5, 6, 11, 12, 13-17, 18, 23 and 24-28. This election is made with traverse of the requirement under 37 C.F.R. 1.143 for the reasons given in the following paragraphs.

The Examiner is respectfully requested to reconsider the Requirement for Election of Species given in the Office Action, because of the increased costs applicant would be forced to bear if the two species are separately examined. Furthermore, the field of search must necessarily cover both species, in addition to other related Classes and subclasses, to provide a complete and adequate search.

Withdrawal of the Election of Species Requirement, and allowance of the present Patent Application, is therefore respectfully requested.

It is requested that should there be any problems with this response, please call the undersigned Attorney at (845) 452-5863.

Respectfully submitted,



Stephen B. Ackerman, Reg. No. 37,761